REMARKS

The Applicants respectfully request further examination and consideration in view of the arguments set forth fully below. Prior to this Office Action, Claims 48-63 were pending in this application. Within the Office Action, Claims 48-63 are rejected. Accordingly, Claims 48-63 are currently pending in this application.

Rejections Under 35 U.S.C. § 103

Within the Office Action, Claims 48-63 are rejected under 35 U.S.C. § 103(a) as being unpatentable over European Patent Application No. 0 679 005 A1 to Haddock. The Applicants respectfully traverse these rejections.

Haddock teaches a voice data management device that integrates voice data into other user applications. The device of Haddock includes a display for visually representing a voice message. An algorithm is used to segment the voice message into major portions of speech and major portions of silence. The result is the voice message being displayed along a timeline in which portions of speech are displayed as dark segments along the timeline, and portions of silence are displayed as light segments along the timeline. Markers are used for visually labeling portions of the voice message on display. Each marker is associated with a particular segment of the voice message.

Haddock teaches a display and user interface through which the voice message is displayed and a user controls playback of the voice message. The display includes a set of audio controls. The audio controls include a play button 24, a pause button 26, a stop button 28, a previous button 30, a next button 32, and a repeat button 34. The previous button 30, next button 32, and the repeat button 34 control playback relative to segments of the voice message. For example, the previous button 30 skips playback to the previous segment of speech. To playback a specific segment, for example a segment including a previously placed marker corresponding to a phone book, the user clicks directly on the segment to playback that specific segment. Playback then commences from the beginning of the selected segment.

Haddock also teaches that the original voice message can be represented to the user as a continuous, unstructured line, and that markers can be associated with this line. In this case, Haddock teaches that the marker is associated with a point in the speech record rather than a segment of the speech. However, there is no teaching as to how the marker in this case is

subsequently accessed. Further, there is no teaching as to how the audio controls are to function in this case. For example, the previous button 30, a next button 32, and a repeat button 34 specifically jump playback from one segment to the next. In the absence of segments, there is no teaching as to how these buttons function. Further, since Haddock teaches accessing the markers by playing back the segment associated with the marker, it is not clear how the user is to playback only a portion of the voice message associated with a specific marker in the absence of segments.

In summary, Haddock teaches that in the case of a segmented voice message, a marker is associated with a predetermined content, such as a telephone number, by associating the marker to the entire segment in which the predetermined content is located. In this case, the predetermined content is not explicitly marked by the marker, but instead the segment is marked. As such, to playback a portion of the voice message associated with a marker, an entire segment must be played. Haddock does not teach searching for predetermined content and marking located predetermined content, and then specifically playing back the predetermined content by accessing the voice message at the marker. In the case where the voice message is not segmented, Haddock does not teach how a marker is accessed since the teachings included in Haddock specifically refer to access of segments and movement back and forth between segments. Again, Haddock does not teach accessing predetermined content by accessing the voice message at the marker.

Independent Claim 48 is directed to an apparatus for marking and accessing bookmarks within a voice message. The apparatus includes a storage media to store the voice message, a processing unit to automatically search the voice message for a predetermined content and automatically bookmark located predetermined content within the voice message wherein the predetermined content is selected from the group consisting of telephone numbers, e-mail addresses, physical addresses, dates, and times, and a user interface to access the voice message at the bookmark. As discussed above, Haddock does not teach searching for predetermined content and bookmarking located predetermined content, and then specifically playing back the predetermined content by accessing the voice message at the bookmarker. For at least these reasons, the independent Claim 48 is allowable over Haddock.

Claims 49-54 are dependent on independent Claim 48. As stated above, Claim 48 is in a condition for allowance. Accordingly, Claims 49-54 are also in a condition for allowance.

Independent Claim 55 is directed to a method of bookmarking a voice message. The method includes automatically searching the voice message for a predetermined content, wherein

the predetermined content is selected from the group consisting of telephone numbers, e-mail addresses, physical addresses, dates, and times, locating the predetermined content, and automatically bookmarking the predetermined content at a first bookmark location with a first bookmark. As discussed above, Haddock does not teach searching for predetermined content and bookmarking located predetermined content. For at least these reasons, the independent Claim 55 is allowable over Haddock.

Claims 56-63 are dependent on independent Claim 55. As stated above, Claim 55 is in a condition for allowance. Accordingly, Claims 56-63 are also in a condition for allowance.

For the reasons given above, Applicants respectfully submit that the claims are in a condition for allowance, and allowance at an early date would be appreciated. Should the Examiner have any questions or comments, the Examiner is encouraged to call the undersigned at (408) 530-9700 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,
HAVERSTOCK & OWENS LLP

Dated: 4-27-04

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CERTIFICATE OF MAILING (37 CFR§ 1.8(a))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450

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